

**CEMETERY ADVISORY COMMITTEE
MINUTES
1400 EAST WASHINGTON AVENUE, MADISON
JUNE 18, 1998**

PRESENT: Secretary Marlene Cummings, Dicie Mae James, E. Dewey Mathewson, Glen Porter III, Laurel Schaftary, David Stucki, Tim Tysver, Geraldine Williamson

EXCUSED: Marie Drescher, Reverend LeRoy Mixon, John Nelson, Beverly Steinhoff

STAFF PRESENT: Clete Hansen, Roxanne Peterson; Staff from the Division of Enforcement

GUESTS: Margaret Purifoy, Fannie Smith (representing Milwaukee County Supervisor James White), Zhibin Ren (representing Quarles & Brady)

CALL TO ORDER

The meeting was called to order at 9:35 a.m. by Division Administrator Cletus Hansen, on behalf of Secretary Marlene Cummings.

AGENDA

The agenda were informally approved.

MINUTES (5/7/97)

MOTION: Tim Tysver moved, seconded by Glen Porter, to approve the minutes as written.
Motion carried.

INTRODUCTIONS

Three new committee members were introduced and all other committee members introduced themselves. The three new committee members are Dicie Mae James, David Stucki and Geraldine Williamson.

Clete Hansen distributed a list of committee members with their original appointment dates and their appointment expiration dates. He mentioned that some additional changes will be made to the committee membership.

Secretary Marlene Cummings discussed the role of committee members.

EVERGREEN CEMETERY IN MILWAUKEE

Secretary Cummings stated that during the last month or two the Department has received numerous complaints in regard to conditions at Evergreen Cemetery, located at 4530 N. Green Bay Avenue in Milwaukee. A week or two before the committee meeting Representatives of the Department had met with persons in Milwaukee for the purpose of receiving more information about the problems and to explain to interested persons the Department's authority to take action against a cemetery which is being poorly maintained.

Secretary Cummings requested that Prosecutor Steve Gloe and Investigator Candace Bloedow provide information to the committee about the Department's authority and about the actions which the Department has taken or is planning on taking in order to correct the situation.

Mr. Gloe explained that the Department's authority relating to cemetery maintenance is very limited; however, the Department believes it has authority to take action against a cemetery authority which makes representations in its sales contracts which the cemetery fails to carry out or which are untrue.

Mr. Gloe stated that the Department would like to limit the license of Evergreen Cemetery. The limitation order would include a plan to correct the problems and a plan to monitor the efforts to the cemetery to correct the problems. Mr. Gloe and Secretary Cummings explained that the Department believes that revoking the license of the cemetery would not be an appropriate approach at this time, since it could adversely affect the rights of many people who had acquired lots in the cemetery. The goal of the Department is to have the problems corrected, rather than to create a situation where the cemetery becomes abandoned and the local municipalities are required to take it over. The City of Milwaukee is not interested in taking it over.

Dicie Mae James, Geraldine Williamson and Margaret Purifoy showed pictures which depict the poor maintenance conditions at the cemetery. They expressed their concerns and doubts relating to the location of graves, the stacking of graves one on top of the other, the use of temporary grave markers, the condition of memorials, the condition of the driveways, the lack of sod on graves where burials had been made many months ago, piles of dirt with pieces of monuments and stuffed animals in them, and other similar problems.

Fannie Smith asked for clarification of several issues.

The committee members shared information about the following:

- The kinds of contracts used by cemeteries.
- The use of so-called "courtesy markers" which are often provided by funeral directors to temporarily show the location of a grave.
- The fact that the cemetery is located in the City of Milwaukee and the City of Glendale.
- The use of sprinkling equipment.
- The damage done to headstones by maintenance equipment.
- The fact that the cemetery has a foul odor.
- A suggestion that summer workers (young people) be employed to help clean up the cemetery (the cemetery could employ such people; so could, possibly, the city or the county).
- The fact that the cemetery employs only three maintenance people.
- Stacking vaults.
- The uniformity or lack of uniformity of tombstones.

- A request by Fannie Smith that Prosecutor Steve Gloe prepare a document, listing what actions are criminal, civil or professionally incompetent.
- Cemetery deeds and what rights are actually being deeded to lot purchasers.
- The moving of bodies from one cemetery to another. The typical cost of moving a body could run around one and a half times the cost of burial, because it takes more time and labor to remove a vault from the ground than to put one in.
- The alleged involvement of a local funeral director in the sale of lots.
- The fact that a rule of thumb is that a cemetery can obtain 1000 singles graves for 1 acre of raw land.
- Procedures for a municipality taking over a cemetery.
- The ownership of the cemetery.

ABANDONMENT OF CEMETERIES

Secretary Cummings gave committee members a copy of a letter from the City of Milwaukee, which summarizes a legislative proposal which the City of Milwaukee has prepared and will try to have introduced in the next legislative session.

The committee discussed various issues relating to abandoned cemeteries. Secretary Cummings will respond to the letter, as requested. She will also ask the committee to make recommendations when a bill has been introduced.

ISSUES FOR DISCUSSION

Other discussion issues which were listed on the agenda were not discussed, due to a lack of time.

NEXT MEETING

The next meeting will be September 15, 1998, beginning at 9:30 a.m. in Madison.

ADJOURNMENT

MOTION: Tim Tysver moved, seconded by Laurel Schaftary, to adjourn the meeting.
Motion carried unanimously.

Meeting adjourned at 11:55 a.m.